THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.18563 of 2007

Between:

Thanneru Sambaiah. … Petitioner

and

The Director General of Police and others.

… Respondents

ORDER:

It is stated that the petitioner is the father of the deceased Smt.Lakshmi, who died in the intervening night of 05/06-06-2007. In respect of the same, a case in Cr.No.23 of 2007 was registered against one Kunchala Rosaiah (A-1), Kunchala Rangaiah (A-2) and Kunchala Parameswari (A-3) for the offence punishable under Section 174 Cr.P.C. A-3 is the sister of the petitioner, A-2 is the husband of A-3 and A-1 is the son of A-2 and A-3. As the accused are relatives to the petitioner, they requested the petitioner to give her daughter in marriage to A-1. As A-1 is an uneducated person and the daughter of the petitioner having studied B.Ed, the petitioner refused to give her daughter in marriage to A-1.

It is further stated that A-1 having married, frequently visited the daughter of the petitioner and demanded to marry him. Infact, her daughter died in the house of the accused. On a complaint lodged by the petitioner, a case in Cr.No.23 of 2007 was registered against A-1 to A-3 for the offence punishable under Section 174 Cr.P.C. However, during the course of investigation, the Section of law was altered from Section 174 Cr.P.C. to Section 306 IPC only, though it is a case of murder but not suicide.

It is further stated that the 5th respondent has not properly conducted investigation and the superior officials have not supervised the investigation and, therefore, the petitioner doubted the bonafides and competency of the 5th respondent and he made a representation before the 1st respondent requesting to stall the investigation being conducted by the 5th respondent

and to order investigation by the CBCID by conducting re-post-mortem to the dead body of Smt Lakshmi. The said representation was received by the 1st respondent on 18-07-2007.

As the representation is pending before the 1st respondent, without expressing any opinion as to the merits of the case, it is just and proper to direct the 1st respondent to consider and dispose of the said representation by entrusting the case to CBCID or directing the superior officials to supervise the investigation.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the representation, which is received by the 1st respondent on 18-07-2007, by entrusting the case to CBCID or directing the superior officials to supervise the investigation. There shall be no order as to costs.

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31-08-2007

Prv